

BOROUGH OF TUCKERTON LAND USE BOARD

July 18, 2019

In accordance with the provisions of the Open Public Meetings Act, Calvin Morey, opened the meeting of the Tuckerton Land Use Board on Thursday, July 18, 2019, at 7:00 p.m. in the Tuckerton Borough Hall.

FLAG SALUTE: Calvin Morey led the flag salute.

SUNSHINE STATEMENT: Carol Scurman read the provisions of the Open Public Meetings Act.

ROLL CALL:

Members of the Land Use Board in attendance were Mayor Marshal, James McAndrew, Keith Vreeland, Joan Rosenberg, Greg Brojack, Tom Hennaut, Peter Gioiello, Don Rocheskey, Wayne Tonnesen, Calvin Morey; Robert Rue was absent.

MINUTES:

Jim McAndrew made a motion to accept the minutes of the April 18, 2019 meeting as written. Keith Vreeland seconded the motion. On roll call, all voted yes with the exception of Tom Hennaut who abstained. The motion was carried.

INVOICES

Woodland, McCoy & Shinn totaling \$650.00

7/3/19	65991	OCEAN Inc, B 49, L 5	\$300.00
7/3/19	65992	General Board Representation June 2019	200.00
7/3/19	65993	Welsh, B 8, L 11	150.00

T & M Associates

4/4/19	SCL363733	H2 Investments (Sheltered Cove) B 40, L 1 & 2	131.00
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A motion was made by Mayor Marshall and seconded by Keith Vreeland to approve the payment of bills on the availability of funds. On roll call vote, all members agreed. The motion was carried.

CORRESPONDENCE

- 6/7/19 From AECOM regarding Application from ACE re: Application for Removal of ACE's Statewide Multi-Permit for Vegetative and Structural Maintenance within Power Line Rights-of-Way at Various Blocks and Lots
- 7/9/19 *Nichol E. Welsh, 103 Third Ave, Tuckerton, NJ regarding a request to postpone the hearing of her variance application for Block 8, Lot 11, waiving all time frames.
- 7/12/19 From Kim Dixon Environmental Consultant LLC re: Application for a Waterfront Development Permit, Block 33, Lots 65 & 66

NEW BUSINESS

*Robert Shinn advised, the board has received a letter from Nicole Welsh, 103 Third Ave, Block 8, Lot 11, asking her hearing for a variance scheduled for tonight be carried to the August 15th meeting because her newspaper notice was not published in time for her to be heard at this meeting. She waives all time frames for the board to make a decision. She will re-notice in the newspaper, but asks that she can waive re-noticing her neighbors since the date change has been announced at this public meeting. A motion was made by Jim McAndrew and seconded by Joan Rosenberg to carry the hearing to the August 15th meeting, waiving all time frames and on the condition her newspaper notice is published within 10 days of the hearing. On roll call vote, all members agreed. The motion was carried.

Land Use Liability Seminar

Robert Shinn addressed the board regarding the seminar. As public officials, we are covered by JIF, the county insurance. However, as board members, there is extra insurance coverage that goes above and beyond, with no extra cost to the borough when this seminar is presented to the board. If a board member gets sued, this extra insurance will provide reimbursement of attorney fees as long as there are no criminal charges and convictions.

To address the increase of lawsuits by different organizations that claim discrimination and bias, JIF has put together this program explaining what can and cannot be done, said, or considered at public meetings and when making decisions. Mr. Shinn emphasized board members should confer with him if they have any doubts on hearings they feel they should not participate in due to conflicts of any kind, personal or professional.

Each member was also given a printed copy of the slide presentation, a copy of our Municipal Excess Liability Joint Insurance Fund (JIF Insurance), and a copy of Chapter 18 of Tuckerton's Ordinance Book titled, DEFENSE AND INDEMNIFICATION, which lists what is and is not covered by borough insurance (JIF).

The presentation was shown on the TV's and Mr. Shinn read the narrative for each slide. After the presentation there was a short question and answer period.

INFORMAL DISCUSSION

Robert Shinn advised OCEAN Inc. has informed him due to funding difficulties, they are requesting completion of the project be done in phases. They were informed that would require coming before the board with an amended site plan.

Keith Vreeland said he and Frank D'Amore are in the process of looking at borough-owned property, specifically the Gristmill. Since, from a historic perspective, the borough does not want to see the structure torn down, they are considering putting deed restrictions on the property to stipulate it be maintained with a certain historic charm. Mr. Shinn advised they go to the NJ Historic Trust for information regarding the types of deed restrictions that can be imposed and samples that have been upheld.

ADJOURN

There being no further business, a motion was made by Greg Brojack. seconded by Joan Rosenberg and unanimously agreed to adjourn the meeting.

Respectfully submitted,

Carol Scurman
Land Use Board Secretary